

**Land East of Commonmead Barn,
Pagham Road, Pagham PO21 3PY**

Planning Statement

September 2025



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PLANNING

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1. Introduction

- 1.1. This planning application is submitted by Verve Planning Ltd to Arun District Council (ADC and the council) on behalf of Mr H Phillips (the applicant and freehold owner of the site) for the construction of 2 no. single storey detached dwellings (with accommodation in the roofspace), along with associated car and cycle parking on land to the east of Commonmead Barn, Pagham Road, Pagham PO21 1QT.
- 1.2. The application seeks to respond directly to the concerns raised by the inspector in relation to the appeal against planning permission reference P/9/24/PL. That scheme was for the construction of 3. no two-storey detached dwellings, along with associated car and cycle parking. It was initially refused by the council on 4 April 2024 due to insufficient detail submitted on surface water drainage. The inspector subsequently dismissed the appeal on 21 January 2025 due to concerns about surface water flooding and also the impact on the setting of the nearby listed Rookery Farmhouse.
- 1.3. This Planning Statement explains how the scheme has been amended and the current proposal now addresses the concerns of the council and the inspector. It also demonstrates how the resultant scheme complies with all tiers of planning policy and guidance, including the National Planning Policy Framework (NPPF) 2024, by delivering a sustainable and well-designed scheme, that is also acceptable in flooding and heritage terms.
- 1.4. In addition to this Planning Statement, the submission is accompanied by the following information:
 - Completed application forms and certificates;
 - Completed CIL forms;
 - Unilateral Undertaking (dated 4 September 2025);
 - Location Plan - PL01;
 - Proposed Block Plan - PL02;
 - Proposed Site Plan - PL03;
 - Proposed Street Scene and Section to Field View - PL104;
 - Plot 1 - Proposed Ground, First and Roof Plans - PL105;
 - Plot 1 – Proposed Elevations and Section - PL106;
 - Plot 2 - Proposed Ground, First and Roof Plans - PL107;
 - Plot 2 - Proposed Elevations and Section - PL108;
 - Basic Site Plan and Street Scene Comparison with planning application P/9/24/PL - PL109;
 - Design and Access Statement, prepared by JJR Designs (17 September 2025);
 - Heritage Statement (Revised), prepared by Bourne Heritage (23 September 2025);
 - Arboricultural Impact Assessment and Method Statement; prepared by South Downs

Ecology (11 September 2025);

- Existing Tree Schedule, prepared by South Downs Ecology;
- Tree Constraints Plan; prepared by South Downs Ecology (11 September 2025);
- Tree Retention and Protection Plan and Planting Plan, prepared by South Downs Ecology (23 September 2025);
- Ecological Impact Assessment, prepared by South Downs Ecology (9 September 2025);
- Biodiversity Net Gain Assessment, prepared by South Downs Ecology (9 September 2025), including BNG Metric and Condition Sheet prepared by South Downs Ecology;
- Flood Risk Assessment, prepared by UNDA Consulting (September 2025);
- SuDS and Drainage Report, prepared by CGS Civils (24 September 2025), including Drainage Layout drawing and Impermeable Areas & Overland Flow Route Plan; and
- Culvert Information.

2. Background Information

Site and Surroundings

- 2.1. The application site comprises a rectangular shaped plot of land along with an entrance driveway to the south providing vehicular access from Pagham Road. The total extent of the site is approximately 2,066 sqms in area.

2.2. The site is located within a small cluster of former agricultural buildings, residential properties and a small mobile home park (Field View) located off the north western side of Pagham Road. A number of the former agricultural buildings within the enclave have now been converted to residential use, including Commonmead Barn and Windmill Barn to the west. Rookery Farmhouse to the north-west of the application site is an 18th century grade II listed farmhouse.

2.3. The site is enclosed by a variety of mature hedging to a height of up to five metres, trees and fencing. Photographs of the site are included in Appendix 1 of the Updated Design and Access Statement, prepared by JJR Designs and in the Heritage Statement (Revised), prepared by Bourne Heritage.

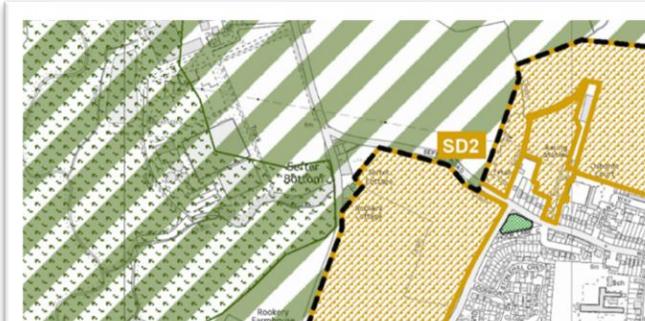
2.4. The site contains a number of containers and paraphernalia in the south western corner in connection with the lawful use of this part of the site for the storage and repair of boats and classic cars.

2.5. Whilst the rest of the site is deemed as agricultural by the council, no agricultural activities have been carried out for a considerable amount of time. The council has accepted in its officer's delegated report for the previous application (ref P/9/24/PL) that there is no immediate prospect of agricultural use taking place on this limited parcel of land, especially given its segregation from the more substantial area of farmland.

2.6. A small shed is located in the north eastern corner, which is used by the applicant for the storage of equipment used to maintain the land.

2.7. According to the Government's Flood Map for Planning, the site falls within Flood Zone 1 which indicates that land and property have a low risk of flooding from rivers and the sea. The submitted Flood Risk Assessment (FRA) and SuDS and Drainage Report examine the risk from other sources of flooding, including groundwater flooding.

2.8. The extract from the council's Proposal Map (right) shows the application site within the Bognor Regis to Chichester Settlement Gap (the diagonal green lines) and just outside the Built-Up area boundary (the black hatched line). The proposed access is onto Pagham Road which marks the boundary of the built-up area.





Extract from the council's Proposal Map

- 2.9. The site also lies opposite the western parcel of the Pagham North Strategic Allocation (SD2). Collectively the parcels contained in SD2 have been allocated to provide 800 new dwellings.

Relevant Local Planning History

- 2.10. There have been a number of planning permissions granted for residential development in the vicinity of the site. The most notable decisions are listed below:

Land North of Hook Lane, Pagham, forming the western part of Site Allocation SD2 (referred to above)

- 2.11. Outline planning with some matters reserved was granted in September 2019 (ref P/30/19/OUT) for the construction of up to 300 no. new homes, a care home of up to 80 beds, D1 uses of up to 4,000 sqm including a 2 form entry primary school, formation of new means of access onto Hook Lane and Pagham Road, new pedestrian and cycle links, laying out of open space, new strategic landscaping, habitat creation, drainage features and associated ground works and infrastructure.

- 2.12. Approval of Reserved Matters was granted in September 2021 (ref P/132/20/RES) for 300 new homes, internal roads, footpaths and cycleways, car parking and landscaping on the majority of the site. The development is approximately three quarters complete and the houses are occupied.

- 2.13. Reserved matters were approved in March 2023 (ref P/1141/22/RES) for the layout, scale and appearance (and landscaping) of the 80-bed care home in the southern end of the site. Development is underway.

Land North of Sefton Road, Pagham, forming the eastern part of Site Allocation SD2

- 2.14. Part of this site is currently being building out for housing by Taylor Wimpey and is called Regis Park.

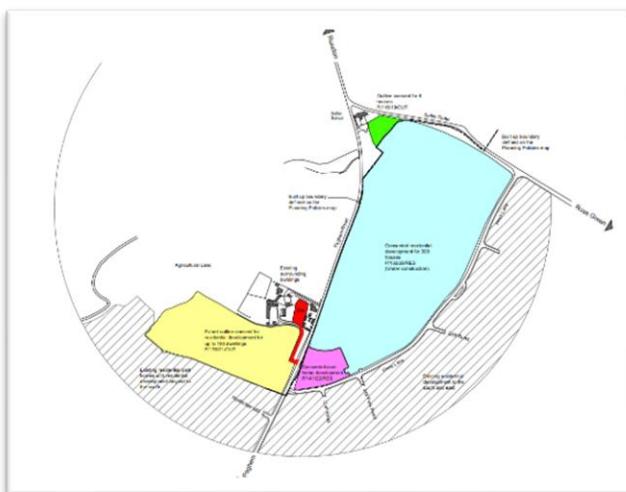
Land adjacent to Sefton School House (NE on Pagham Road)

- 2.15. Outline planning permission with all matters reserved was granted in October 2020 (ref P/116/19/OUT) for the erection of 4 no. semi detached 3 bedroom houses and 2 no. detached four bedroom houses with associated access, parking and gardens. The council subsequently approved the reserved matters application (ref P/147/21/RES) in January 2022 and a number of separate applications relating to the approval of details reserved by condition. Development is complete and the site is occupied.

Land West of Pagham Road (to the south of the application site),

- 2.16. Outline planning permission was allowed at appeal in December 2022 (PINS ref (APP/C3810/W/22/3302023 and LPA ref P/178/21/OUT) for the construction of up to 106 new homes, formation of access onto Pagham Road, new pedestrian and cycle links, the laying out of open space, new strategic landscaping, habitat creation, drainage features and associated ground works and infrastructure. Reserved matters to the outline approval for the appearance, landscaping, layout and scale concerning the construction of 95 new homes along with new pedestrian and cycle links, open space, landscaping, habitat creation, drainage features and associated groundworks and infrastructure was granted in May 2025 under application ref P/114/24/RES.

- 2.17. The map (below), prepared by JJR Designs, also shows the location of the application site (red) in relation to these recent permissions. Once these schemes have been completed the application site will effectively become encompassed within the resultant built-up area. NB - the eastern part of site allocation SD2 (Land north of Sefton Road) is not shown on this plan but it is currently being built out.



Application Site Planning History

- 2.18. The recent relevant planning history of the application site is set out in the table below:

Reference	Description	Decision
P/139/17/CLE	Lawful Development Certificate for an existing use – mixed use for the storage and repair of boats and classic cars and agriculture	Certificate granted May 2018
P/94/18/PL	Erection of 3 no. containers for storage and repair/restoration of cars and boats	Approved March 2019
P/25/20/PL	One no. container for the storage of gardening and agricultural equipment	Approved May 2020
P/110/23/PL	Construction of 4 no. two-storey detached dwellings (with accommodation in the roofspace) along with associated car and cycle parking.	Refused November 2023
P/9/24/PL	Construction of 3 no. two storey dwellings along with associated car and cycle parking.	Refused April 2024 Dismissed at appeal January 2025

Application ref P/9/24/PL

- 2.19. This application was for three detached houses on the site. It followed a previous refusal for four detached houses (ref P/110/23/PL).

2.20. When determining application P/9/24/PL for three houses, the council concluded that all elements of the scheme were acceptable, apart from flood risk. The council refused it April

2024, for a single reason:

- *The site lies in an area identified as prone to groundwater flooding and the proposal introduces a more vulnerable use. No site specific flood risk assessment has been produced contrary to the requirements of footnote 59 of the NPPF. The application has failed to provide sufficient information to determine that the proposed dwellings are deliverable without prejudicing surface water drainage for the site, and would not increase the risk of flooding in the area affecting nearby properties. The proposal therefore conflicts with policies W SP1 and W DM3 of the Arun Local Plan and the NPPF.*
- 2.21. At the subsequent appeal, the inspector dismissed the scheme in January 2025 for two reasons, namely:
- *the proposed development would not be safe from flooding and would increase flood risk elsewhere; and*
 - *the proposal would not preserve the setting of the listed building.*

Current Proposal

- 2.22. The current proposal is now for just two houses. It addresses the inspector's concerns on flood risk and heritage and is supported by a detailed FRA, a SuDS & Drainage Report and also a revised Heritage Statement.
- 2.23. The proposal is for:
- Construction of 2 no. single storey detached dwellings (with accommodation in the roofspace) along with associated car and cycle parking.*
- 2.24. The houses provide high quality family accommodation for future occupiers, in excess of the National Technical Standards. Each house has three bedrooms.
- 2.25. The houses are set back informally behind the proposed driveway off Pagham Road to reflect the semi-rural setting. They mirror the layout of buildings at Commonmead Barn to the west.
- 2.26. The first floor bedroom accommodation is within the roofspace, which reduces the overall roof height and massing compared to previous schemes.
- 2.27. There is a 20% reduction in GIA across the two dwellings compared to the previous refused scheme for three houses (ie 419sqm reduced to 334sqm). In comparison, the four unit scheme was 620sqm.
- 2.28. There is a 1.3m reduction in height compared to the previous refused scheme for three houses (ie 8.4m reduced to 7.1m). In comparison, the four unit scheme was 8.8m.
- 2.29. The elevational design and materials now match Commonmead Barn, to the west.
- 2.30. Each dwelling has a private rear garden of over 10 metres in depth. In addition, each has two car parking spaces and a cycle store for two bikes. A turning head is provided mid-way along the access drive, between the two properties.
- 2.31. The layout ensures that the existing watercourse is maintained with an appropriate easement free from built development.
- 2.32. Layouts of the three and two unit schemes are shown below for comparison purposes.



Refused 3 unit scheme (ref P/9/24/PL)



Current proposed 2 unit scheme

3. Planning Policy

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that determination of applications should be made in accordance with the development plan unless material considerations indicate otherwise.
- 3.2. The decision maker is required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Development Plan

- 3.3. The Development Plan for the area consists of:
 - The Arun District Local Plan 2011-2031 (adopted July 2018); and
 - The West Sussex Waste Local Plan 2014 (although not relevant to the consideration of this application).
- 3.4. Whilst work was undertaken on the preparation of a Neighbourhood Plan for Pagham, the Parish Council decided not to proceed further, and the draft Plan was withdrawn in February 2021.
- 3.5. The council is currently preparing some evidence documents in connection with the production of a new district Local Plan.

Material Considerations

- 3.6. The following documents are material considerations:
 - National Planning Policy Framework (NPPF) (2024);
 - Planning Practice Guidance;
 - The National Design Guide (2021);
 - Arun District Council Design Guide Update SPD (February 2024); and
 - Arun Parking Standards (January 2020).

4. Planning Considerations

Matters Agreed in Principle

- 4.1. It is important to re-confirm that the principle of development of this site, and most other planning matters, have already been accepted by the council and the inspector when considering the previous larger three unit scheme.
- 4.2. Therefore, the following issues should also apply to the current smaller two unit scheme:
- a) The council's adopted local plan is more than five years old. An Issues and Options (Regulation 18) 'Direction of Travel Document' was published for consultation between March and May 2024. There is no 'made' Neighbourhood Plan for the Area.
 - b) The LPA cannot demonstrate a 5 year housing supply in accordance with paragraph 78 of the NPPF. In their latest Authority Monitoring Report (1 April 2023-31 March 2024, published in January 2025), ADC specify that they have 3.41 years of supply. This is reduced from the previous figure of 4.17 years in the 2022-2023 AMR.
 - c) There has also been an under-delivery of housing requirements in the last 3 years with the Housing Delivery Test 2023 (issued in December 2024) indicating 70% of its required housing has been delivered.
 - d) The council's policy CSP1 regarding development outside of the built-up area is out of date due to the council's lack of a five year housing land supply and the presumption in favour of sustainable development under para 11 of the NPPF applies, subject to the provisions of part d (i) and (ii).
 - e) The site is sustainably located close to the north-western edge of the built-up area of Pagham, within walking and cycling distance of local schools, pubs, shops and other day to day services and a short distance to bus routes on Pagham Road which provide direct access to the mainline railway services at Bognor Regis and Chichester.
 - f) The site is adjacent to the built-up area boundary (BUAB) on the opposite side of Pagham Road. It scores extremely well (mostly green) against the council's Interim Housing Statement Tick List adopted in March 2021 aimed at addressing the shortfall in housing land supply.
 - g) The scheme is deliverable and available for development now, being fully in the applicant's control, and is achievable well within the next five years. It is exactly the type of site the council is trying to promote in order to re-establish its five-year housing land supply and improving on its housing delivery in an expedient manner. Small sites like this can make an important contribution to meeting the housing requirement as they are often built out relatively quickly, as acknowledged in Paragraph 73 of the NPPF.
 - h) It avoids using productive agricultural land.
 - i) The development will not visually or physically undermine the integrity of the Bognor Regis/Chichester Gap, thereby according with Policy SD SP3 of the Arun Local Plan.

- j) Whilst the site is situated in a semi-rural edge of settlement location, the Pagham North site currently nearing completion on the opposite site of Pagham Road will have an urbanising influence. So too will the development of the land to the south. The proposed development of this current application site would be seen very much in the context of the existing and emerging pattern of development in the area.
- k) The application site is not located within any landscape designation and is contained from public views by existing buildings and mature screening, including existing hedging of circa 5 metres in height along the south, east and western boundary and a line of self seeded elms (and other trees) along the northern boundary.
- l) The proposal will not result in adverse harm to neighbouring residential amenity in accordance with ALP Policy D DM1 and QE SP1. For example, the greater separation distances, the lower heights, the first floor rooms in the roofspace (served by velux windows), and the level of retained and proposed boundary screening all ensure that the scheme would not appear overbearing to the neighbours or result in harmful levels of overlooking and loss of privacy. In addition, the submitted section drawing shows that the pitched roof on Plot 1 would comply with the 25 degree rule in relation to the adjacent mobile home on Fieldview.
- m) The proposal will provide a high quality of living accommodation for future occupiers, in compliance with ALP policy D DM2, with both units exceeding the Nationally Described Space Standards. Each house would also have a garden in excess of 10m deep, in line with the Arun Design Guide. The gardens would be in excess of 20m wide.
- n) Two on-site car parking spaces (including one EV charging point) and two cycle parking spaces in sheds are proposed for each house. Car ports are not proposed in this scheme. A turning head is mid-way along the access road, between the properties. The limited level of traffic generation would not be harmful to highway safety. This scheme is also in accordance with policies T SP1 and T DM1 of the local plan and Arun Parking Standards. The local highway authority previously concluded that the three unit scheme was acceptable from a highway and transport perspective.
- o) There is space in each garden for refuse and recycling bins. Collection can be within the site. in accordance with policy WM DM1 of the local plan.
- p) The proposal includes a range of sustainable design and energy efficiency measures, including air source heat pumps, water butts, high quality double glazing and energy efficient lighting and appliances. This is in accordance with the aspirations of policies ECC SP1 and ECC SP2 of the local plan.
- q) The layout ensures that the existing culvert watercourse would be maintained with an appropriate easement free from built development. A pack of information is submitted showing that the culvert is accurately shown on drawings. Further information is contained later in this section to address comments from the council and inspector.
- r) The development would be achievable without undue detriment to retained trees and hedgerows, as confirmed in the tree related documents. New planting is also proposed along the northern boundaries. The Tree Officer previously concluded that the three unit scheme was acceptable from an arboricultural perspective.
- s) The updated Ecological Impact Assessment re-confirms that the proposals are not anticipated to have any significant impact upon ecology. Once enhancements are considered, it would result in a minor net gain. Off-site units will be obtained to ensure the mandatory 10% net gain is achieved. The proposals would still

accord polices ENV SP1 and ENV DM5 of the local plan. The Ecology Officer previously concluded that the three unit scheme was acceptable from an ecological perspective.

- t) The proposal addresses requirements of Pagham Harbour buffer Zone B (5 km) by mitigating the impact on the PHSPA/Ramsar site through a financial contribution of £1,924 (ie £962 for each dwelling) towards the strategic management of the harbour. This is to be secured by the signed S106 Agreement submitted with this application. NB - the new planning application reference will be inserted upon validation of the application.
- 4.3. The only issues that were in dispute for the three unit scheme were surface water flooding and the impact on the setting of the nearby listed Rookery Farmhouse. The remainder of this section explains how these matters have been addressed to overcome previous concerns from the council and inspector.

SuDS Drainage and Flood Risk

- 4.4. Policy W SP1 of the Local Plan seeks to encourage water efficiency measures and enhance the quality of the water environment. Policy W DM3 states that in order to increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process.
- 4.5. The council in refusing planning permission for the previous 3-unit scheme noted that the site lies in an area identified as prone to groundwater flooding and the proposal introduced a more vulnerable use. They therefore raised concern that no site-specific FRA had been produced and considered that insufficient evidence had been provided to demonstrate that the development would not prejudice surface water drainage for the site, and would not increase the risk of flooding to the area affecting nearby properties. In particular, the council's drainage engineer did not consider that there was enough certainty regarding the location of the culvert pipe running through the site to be sure that the proposed layout would provide a 3m easement on each side of a culverted watercourse.
- 4.6. Whilst a detailed FRA and Surface Water Drainage Strategy was prepared by UNDA to accompany the subsequent appeal, the inspector did not consider that it had been shown that the development would be safe from flooding and it would not increase flood risk elsewhere.
- 4.7. This current application for two dwellings seeks to address the concerns raised by both the council and the appeal inspector in relation to the 3-unit scheme.

Location of the Culvert

- 4.8. The application is accompanied by the following information to show the location of the existing culverted watercourse running through the site:
- The results of a detailed CCTV survey undertaken of the culvert;
 - Topographical survey of the site CM24001 with culvert plotted; and
 - Plan showing the topographical information superimposed onto the Site Plan PL 103.
- 4.9. We trust that the council accepts that this information is now sufficient to demonstrate that that the position of the culvert is accurate as it reflects the survey information provided by Cadmap on the topographical information.
- 4.10. The proposal retains the existing culvert with no built development within 3 metres of it, as shown on the submitted application drawings. The Arboricultural Impact Assessment,

prepared by South Downs Ecology, confirms that any planting within the wayleave would be in accordance with the relevant Southern Water guidelines.

Surface Water Drainage

- 4.11. In accordance with the council's updated validation requirements and its surface water drainage design checklist, full details of the proposed surface water drainage scheme for the site are included in the SuDS and Drainage Report prepared by CGS Civils. The report also includes the results of an assessment into the potential for disposing of surface water by means of Sustainable Drainage System (SuDS).
- 4.12. The report confirms that although on-site testing indicated a favourable infiltration rate, conventional soakaways are not feasible due to the recorded groundwater level. The highest groundwater level of 1.02mbgl means that the required 1m distance between the soakaway base and groundwater level, as specified in the latest Arun DC policies, cannot be maintained.
- 4.13. The purpose of the drainage strategy is to demonstrate to the council how the development area can be satisfactorily drained without increasing flood risk on site and elsewhere. In order to achieve this, the drainage report confirms that:
 - surface water will discharge to the existing culverted watercourse that runs across the site at a rate of 2.0l/s;
 - surface water runoff from the roof areas will be discharged at a restricted rate of 1.0l/s per plot and will make use of a bio-retention planter for storage in order to cater for the 1 in 100-year +45% storm whilst also providing a degree of infiltration; and
 - the hard paved areas are to discharge freely to ground via infiltration.
- 4.14. The report also confirms that the SuDS devices incorporated within the scheme design will mitigate any pollution present within the surface water system.
- 4.15. The foul water will be treated on site via a new package treatment plant prior to discharge to the existing culverted watercourse.

Flood Risk Assessment

- 4.16. The application is also accompanied by an updated FRA prepared by UNDA. This provides an update on the flood risk both to and from the proposed development for all sources of flood risk including tidal, fluvial, surface water, groundwater, sewer and other sources, also taking into account for the impacts of climate change, for the lifetime of the development.
- 4.17. As the proposals would introduce a more vulnerable (residential) use on the site (albeit with no ground floor or basement level sleeping accommodation), the FRA recommends a number of flood mitigation measures to protect against flooding during extreme flood events, including:
 - a range of flood resistant design measures could be incorporated into the new properties, in consultation with the Local Authority building control department; and
 - A Flood Plan to be implemented post development.
- 4.18. UNDA consider that with the flood risk measures proposed in their report (in addition to the proposed surface water drainage strategy prepared by CGS Civils), the proposed development should be suitable in flood risk terms.
- 4.19. Overall, the proposal complies with policies W SP1 and W DM3 of the Adopted Local Plan.

Setting of Listed Building

- 4.20. There were no heritage related reasons for refusal cited by the council in respect of the earlier four or three unit schemes. Whilst the officer's report considered the three unit scheme would cause some harm to the significance of the listed building (Rookery Farmhouse, to the north west of the site), it was considered that this level of harm would be at the lower end of 'less than substantial harm'. The report concluded that this level of less than substantial harm would be outweighed by the public benefit of providing housing in this location.
- 4.21. The inspector also considered that the proposal would cause less than substantial harm to the significance of the listed building. However, the appeal decision letter noted that the proposal's public benefits (including welcome new homes in a reasonably accessible location, jobs during construction, and the future occupiers' likely local spend) would not be enough to outweigh that less than substantial harm. Thus, the inspector concluded that the proposal would fail to preserve the setting of the listed building.
- 4.22. The current application for two units is accompanied by a revised Heritage Statement, prepared by Bourne Heritage. The statement describes the significance of the listed Rookery Farmhouse and the contribution made by its setting to its heritage significance. It then provides an assessment of the impact of the proposed development on the heritage significance, as required by the NPPF and Policies HER SP1 and HER DM1 of the Local Plan.
- 4.23. The Heritage Statement confirms that the current proposals would peripherally and tangentially alter the wider setting of the listed farmhouse and its curtilage-listed outbuildings but not in a way that is harmful to their heritage significance. A number of reasons are set out in section 4.2 of the Heritage Statement and they are expanded upon below:
- a) The number of units has been dropped from three to two to retain a spacious and open layout, making it more comparable to building density elsewhere in the immediate locality. The density of development is now approximately 9.7 dwellings per hectares. This is consistent with the Arun Design Guide which indicates a density range of 10-20 (dph) for suburban centres and 5-15 (dph) for rural settlements. The proposal would balance the need to make efficient use of land with a design that responds to and enhances the existing character of the site and the wider locality.
 - b) There is a 20% reduction in GIA across the two dwellings compared to the previous refused scheme for three houses (ie 419sqm reduced to 334sqm). In comparison, the four unit scheme was 620sqm.
 - c) The first floor accommodation is within the roofspace, like Commonmead Barn (a barn conversion). This reduces the overall roof height and massing compared to previous schemes. In comparison, Rookery Farmhouse to the north west is 2 storeys plus accommodation in the roof; Commonmead Barn to the west along with Farm Gate Cottage is part 2/part 1.5 storeys; and Field View mobile homes fronting onto Pagham Road to the east are single storey.
 - d) In terms of ridge height, there is a 1.3m reduction compared to the previous refused scheme for three houses (ie 8.4m reduced to 7.1m). In comparison, the four unit scheme was 8.8m. Discreet conservation style rooflights are proposed, rather than dormers, to further minimise any bulk.
 - e) The proposed houses are now set further away from the listed farmhouse and its former farm buildings compared to the previous schemes. The development would not 'intrude into the openness between the listed building and Farm Gate Cottage'. Nor would the proposal erode the listed building's prominence and relationship with the historic farmstead, including in views across the field to roughly north east.

- f) The development is no longer 'squeezed in' between the drive to the former barns and the culvert, as previously described by the inspector, but would result in a spacious layout.
 - g) To reduce the 'paraphernalia' identified by the appeal inspector, there would be minimal ancillary development on the site. The previously proposed carports are replaced by small bike sheds and hard surfacing is kept to a minimum to emphasise the retention of green space.
 - h) Due to the smaller built forms, reduced hard surfaces, and removal of car ports in the gardens, the openness and greenery within the site would be increased compared to the previous schemes. This contributes positively to the rural character of its setting, ensuring that the significance of the listed building is not diminished.
 - i) The proposed houses are set back informally behind the proposed driveway off Pagham Road to reflect the semi-rural setting. The informal arrangement of the new builds would mirror the layout of buildings at Commonmead Barn to the west, thereby retaining the character of the historic farmstead.
 - j) The existing hedge and tree-lined boundaries of the application site would either be retained or supplemented with replanting, with new hedges to be provided in the northwest corner, which is nearest to the listed building and at the northern end of the site which is nearest to the field from which the front elevation of Rookery Farmhouse is visible.
 - k) There would be a buffer zone at the northeastern end of the application site. This, together with additional planting, would reduce the visual impact of the proposed development in views of the listed building across the field to the north, thereby ensuring the visual prominence of the former.
 - l) The proposed new builds would be set as far back as possible from the boundary with the curtilage of the listed building, with the large rear gardens providing an open green buffer zone between the two. The access road would also utilise the existing access to the site.
 - m) The dwellings are a simple design and constructed from a limited palette of high-quality materials, reflective of the local vernacular and to ensure they integrate successfully into their surroundings. The barn conversion style scheme reflects the form, vernacular character and materiality of Commonmead Barn and Windmill Barn, to the west.
 - n) The design changes address the inspector's previous concerns about the 'built-up suburban character and discordant appearance' of the previous scheme that 'would be incongruous in views from the listed building and its grounds'.
 - o) The proposals would have no impact at all on the elements of setting which contribute positively to the setting of the listed building, namely its gardens, outbuildings and the fields to the north and west.
- 4.24. The revised proposals have been carefully designed to take on board heritage-related comments made by both the council and inspector, in relation to the previous scheme, with a view to removing the less than substantial harm identified by both (which was previously assessed to be at the lower end of the less than substantial harm spectrum by the council). This would be achieved by the design and mitigation measures set out above.
- 4.25. The aim of the proposals is to provide a scheme that would preserve the setting of the listed building by replacing the 'suburban' development design of previous schemes for the site with a spacious farm building type of development that complements the historic utilitarian character of the two barn conversions at Commonmead and Windmill Barns.

- 4.26. The revised proposals would not have any impact on the four criteria, namely historical interest, architectural interest, archaeological interest and artistic interest, which constitute the heritage significance of Rookery Farmhouse. Nor would they impact negatively on the elements of setting which contribute positively to that significance.
- 4.27. The revised proposals are not considered to engage paragraphs 214 or 215 of the NPPF and, in respect of Section 66(1) of the 1990 Act, would preserve the setting of the Grade II listed farmhouse. The application proposals comply with local planning policies HER SP1 and HER DM1.
- 4.28. Even if it is still considered that there would be limited harm to the significance of Rookery Farmhouse (as per paragraph 215 of the NPPF), this would be at the very lowest end of the 'less than substantial' scale and would be outweighed by the public benefit of providing much needed housing in this location. The proposal's public benefits include welcome new family homes in an accessible location, jobs during construction, and the future occupiers' likely local spend.
- 4.29. Finally, as previously agreed by the inspector and officers, the setting of the listed windmill further south would be preserved due to the distance.

Tilted Balance

- 4.30. Paragraph 11d of the NPPF states that permission should be granted unless other policies in the NPPF that protect areas or assets of particular importance (ie Pagham Harbour Special Protection Area, designated heritage assets and areas at risk of flooding) provide a clear reason for refusing the proposed development, or when any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 4.31. Paragraph 195 of the NPPF states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site a whole.
- 4.32. As set out in the preceding sections, there is no clear reason for refusing the development on the impact on the Pagham Harbour SPA or the adjacent designated heritage asset, or flood risk under paragraph 11 (d) (i) of the NPPF. As such the tilted balance under paragraph 11 (d) (ii) would be engaged and permission should be granted.

5. Planning Balance and Conclusion

- 5.1. The proposals have evolved in direct response to the two reasons for refusal cited in the appeal decision against the three unit scheme (ref P/9/24/PL), namely flood risk and the impact on the setting of nearby listed building.
- 5.2. This has included a reduction in the number of units proposed (and consequently an increase in the space around the buildings), along with a reduction in the height and overall floorspace of the two dwellings. The density of development would be appropriate in this edge of settlement location and balances the need to make efficient use of land with a design that responds to and enhances the existing character of the site and wider locality.
- 5.3. The scheme comprises the provision of two high quality family homes in a sustainable location which would not be out of place in the context of existing and emerging residential development in this part of the district.
- 5.4. The development proposed has also been informed by the relevant planning policy context at national, regional and local level as set out in this Planning Statement.
- 5.5. There is a presumption in favour of sustainable development under paragraph 11d of the NPPF which continues to apply due to a lack of 5 year housing land supply, the age of the adopted local plan (over five years old) with insufficient progress made on the new Local Plan. Furthermore, there is no adopted Neighbourhood Plan for the Pagham area and the latest housing delivery test results issued by the Government in January 2025 indicate that the delivery of housing was below 75% of the housing requirement over the previous three years (with only 70% of its required housing having been delivered).
- 5.6. Paragraph 11 (d) of the NPPF states that planning permission should be granted unless either limb (i) or (ii) of paragraph 11(d) is not satisfied.
- 5.7. In this case, there would be no clear reason for refusing the development proposed on the impact on any designated heritage asset (the adjacent listed building) or on flooding grounds under paragraph 11 (d) (i) of the NPPF. The impact on the PHSPA/Ramsar site would be appropriately mitigated through a financial contribution towards the strategic management of the harbour, to be secured by the submitted S106 agreement.
- 5.8. The tilted balance under paragraph 11 (d) (ii) would therefore be engaged. We do not consider that there would be any harm arising from the proposals which would significantly and demonstrably outweigh the considerable planning benefits of the scheme, which include (but are not limited to):
 - The contribution that two high quality, family sized, new dwellings would make to addressing Arun's acute shortage of housing land, with the dwellings capable of being delivered well within 5 years.
 - Visual enhancements by the removal of the existing containers and paraphernalia in the south-western corner being used in connection with the storage and repair of boats and classic cars and their replacement with a well-designed development.
 - Economic Benefits - future residents would help to sustain local services and facilities in the area. There would also be short-term benefits from investment and employment during the construction phase.
 - Social Benefits - providing two much needed family homes to meet the needs of present and future generations within a safe environment.

- Environmental Benefits – the site is within a sustainable location within walking and cycling distance of a range of shops, facilities and services. It also lies close to a bus stop providing a regular service to Bognor Regis railway station and Bognor Town Centre.
 - Improvements to the biodiversity value of the site, through appropriate landscaping and ecological mitigation and enhancements.
 - Highest standard of design and construction measures to reduce carbon emissions and ensure the scheme contributes to climate change mitigation.
- 5.9. This statement demonstrates that the proposal accords with the planning policies of the local development plan and other material considerations and planning permission should be **granted**.